

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0070 – South Lamar and Blue Bonnet

P.C. DATE: July 8, 2008
August 12, 2008
August 26, 2008

ADDRESS: 2323 S. Lamar, 2315 S. Lamar, and 2421 Bluebonnet Lane

OWNER/APPLICANT: Talisman Group, Inc. (James T. Ross)

AGENT: Dubois, Bryant, & Campbell (Henry Gilmore)

ZONING FROM: Tract 1 – SF-3
Tract 2 – SF-3
Tract 3 – CS

TO: Tract 1: GR
Tract 2: GR
Tract 3: GR-V

AREA: Tract 1 – 0.295 acres
Tract 2 – 0.347 acres
Tract 3 – 1.241 acres
1.883 acres

SUMMARY STAFF RECOMMENDATION:

Staff's alternate recommendation is the following:

Tract 1 – LO-CO
Tract 2 – GR-CO
Tract 3 – GR-V-CO

The conditional overlay shall prohibit daily vehicle trips to a maximum of 2,000. Additionally, on tracts 2 and 3, the following uses shall be prohibited: exterminating services and service station.

PLANNING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for LO-CO zoning for Tract 1; GR-CO zoning for Tract 2 & GR-V-CO for Tract 3 with additional conditions made by the Commissioners; 2,000 vehicle trip limit, One driveway cut on Bluebonnet Lane, prohibit the following uses, Automotive repair services, Automotive rentals, Automotive sales, Automotive washing (of any type), Exterminating services, Funeral services, Pawn shop services, was approved by Jay Reddy's motion, Commissioner Sandra Kirk second the motion on a vote of 7-0. Commissioner Paula Hui and Perla Cavazos were absent.

DEPARTMENT COMMENTS:

The 1.883-acre property is currently zoned CS-V (Commercial Services – Vertical Mixed-Use Building) combining district zoning and SF-3 (Family Residence) district zoning. Tract 1 is currently undeveloped. Tracts 2 and 3 are currently developed with auto sales and auto repair uses.

Access to the property is taken from both South Lamar Blvd. and Blue Bonnet Rd. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

To the north, there are primarily commercial uses, including automobile uses and restaurant (general). To the south, there are general retail uses in addition to an office condo complex and a townhouse style development. The east is primarily characterized with residential development, including apartments and single-family residences.

To the west, there are several commercial uses, such as a liquor store and an animal hospital. The applicant intends to rezone the property to GR (Community Commercial) district zoning to allow for the redevelopment of general retail uses. The applicant has met with the registered neighborhood association, South Lamar, and has agreed to several of the neighborhood's requests. (See attached letter.)

BASIS FOR RECOMMENDATION

1. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*
2. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

Tracts 2 and 3 abut a major core transit corridor, South Lamar Boulevard, where commercial zoning is the most appropriate. The applicant has agreed to downzone tract 3 from CS to GR, which removes several of the less desirable uses near the residential neighborhood to the east.

Tract 1 immediately fronts Blue Bonnet Road, a neighborhood collector, and abuts a single-family residence. Staff recommends zoning tract 1 LO (limited office) to properly transition from the intense commercial uses allowed in GR to the single-family residence.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS; SF-3	Auto Sales; Auto Repair; Undeveloped
<i>North</i>	CS; LO	Auto Repair; Restaurant
<i>South</i>	CS; GR-CO; LO-CO; LO-MU-CO	General Retail; Office; Town Homes
<i>East</i>	LO; MF-3; SF-3	Apartments; Single-Family Residences
<i>West</i>	CS-1; GO	Liquor Store; Restaurant; Animal Hospital

AREA STUDY: South Lamar NPA

TIA: Waived

WATERSHED: West Bouldin Creek

DESIRED DEVELOPMENT ZONE: YES

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

- South Lamar Neighborhood Association
- Austin Neighborhoods Council
- Austin Independent School District
- South Central Coalition
- Home Builders Association of Greater Austin
- First American Comm. Prop. Group
- CIM
- Homeless Neighborhood Association

SCHOOLS:

- Zilker Elementary School
- O. Henry Middle School
- Austin High School

CASE HISTORIES:

C14-2008-0019C - South Lamar VMU Opt-in / Opt-Out

The vertical mixed-use opt-in / opt-out process was completed for the South Lamar Neighborhood Planning Area on June 24, 2008.

PC: Approved dimensional standards waiver, parking reduction, and additional uses in office district zoning (VMU); (6-2)

CC: Approved dimensional standards waiver and additional uses in office district zoning (6-1)

The vertical mixed-use building component for this tract includes the following:

- The property is exempt from the dimensional standards identified in Article 4.3.3 E.2 (Dimensional and Parking Requirements).
- Ten percent of residential units available for rental in a vertical mixed-use building shall be reserved for households earning no more than 80 percent of the Annual Median Family Income.
- The property will be eligible for the following additional ground floor uses in an office zoning base district: consumer convenience services, food sales, general retail sales (convenience or general), and restaurant (limited and general) without drive-in services.

EXISTING CONDITIONS

Site Characteristics

Any new development is subject to Subchapter E: Design Standards and Mixed Use. South Lamar is a Core Transit Corridor. Additional comments will be made when the site plan is submitted.

The site is subject to Compatibility Standards. Compatibility Standards are applicable to all property adjoining or across the street from a lot zoned or used as a SF-5 or more restrictive or within 540 feet from the lot zoned SF-5 or more restrictive. This lot has SF-3 lots located along the southern edge of the property.

- No structure may be built within 15 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Transportation

No additional right-of-way is needed at this time. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,900 vehicle trips per day. [LDC, 25-6-117]

A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114. Traffic counts must be provided by the applicant for Bluebonnet Lane. No additional right-of-way is needed at this time.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
Lamar Blvd	Arterial	60'	Major Arterial	No	Yes	Yes
Bluebonnet Lane	Collector	22'	Collector	Yes	No	Yes (Within ¼ mile)

CITY COUNCIL DATE: October 16, 2008
November 20, 2008

ACTION: Postponed to 11/20/08

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson

PHONE: 974-7691

**ZONING POSTING LANGUAGE
COUNCIL AGENDA**

COUNCIL AGENDA DATE: 11/20/2008

CASE # & NAME: C14-2008-0070 – South Lamar and Blue Bonnet

1ST – 2ND – 3RD READING: All 3 Readings

ADDRESS: 2323 S. Lamar, 2315 S. Lamar, 2421 Blue Bonnet

WATERSHED (include Barton Springs Zone if necessary): West Bouldin Creek

ZONING FROM: Tracts 1 & 2 - family residence (SF-3) district zoning; Tract 3 – commercial services – vertical mixed use building (CS-V) combining district zoning

ZONING TO (note if it is “with conditions”, such as a Street Deed or public restrictive Covenant): Tract 3 - community commercial – vertical mixed use building (GR-V) combining district zoning; Tracts 1 & 2 - community commercial (GR) district zoning

STAFF RECOMMENDATION: To grant community limited office – conditional overlay (LO-CO) combining district zoning for tract 1, Community commercial –conditional overlay (GR-CO) for tract 2, Community Commercial – vertical mixed use overlay – conditional overlay (GR-V-CO) combining district zoning on Tract 3. The Conditional Overlay would limit vehicle trips to 2,900 and prohibit the following uses:

PC RECOMMENDATION:

The motion to approve staff's recommendation for LO-CO zoning for Tract 1; GR-CO zoning for Tract 2 & GR-V-CO for Tract 3 with additional conditions made by the Commissioners; 2,000 vehicle trip limit, One driveway cut on Bluebonnet Lane, prohibit the following uses, Automotive repair services, Automotive rentals, Automotive sales, Automotive washing (of any type), Exterminating services, Funeral services, Pawn shop services, was approved by Jay Reddy's motion, Commissioner Sandra Kirk second the motion on a vote of 7-0. Commissioner Paula Hui and Perla Cavazos were absent.

PREVIOUS COUNCIL ACTIONS, DATES & VOTES: (for 2nd/3rd readings): October 16th, 2008 – postponed to November 20th, 2008

APPLICANT: Talisman Group, Inc. (James T. Ross)

AGENT: Dubois, Bryant, & Campbell (Henry Gilmore)

CITY STAFF: Clark Patterson 974-7691

ISSUES (is there a valid petition?):

CONSENT/DISCUSSION: Discussion All 3 Readings

 **SUBJECT TRACT**

 **ZONING BOUNDARY** **PENDING CASE**

OPERATOR: S. MEEKS

ZONING

ZONING CASE#: C14-2008-0070
ADDRESS: 2323 S LAMAR BLVD
SUBJECT AREA: 1.883 ACRES
GRID: G20
MANAGER: C. PATTERSON



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Tract 3
From: CS-V
To: GR-V

Tract 2
From: SF-3
To: GR

Tract 1
From: SF-3
To: LO-CO



MEMORANDUM

TO: Robert Levinski, Case Manager
CC: Members of the City Council
Talisman Partners, Ltd.
FROM: Shandrian Jarvis, Transportation Planner
DATE: June 5, 2008
SUBJECT: Neighborhood Traffic Analysis for South Lamar and Bluebonnet Lane
Zoning Case # C14-2008-0070

The transportation section has performed a Neighborhood Traffic Impact Analysis for the above referenced case and offers the following comments.

The 1.88-acre tract is located in south Austin at the intersection of South Lamar Boulevard and Bluebonnet Lane. The site is currently zoned Single Family Residence (SF-3) and General Commercial (CS), and the existing use is auto service/used auto sales. The site is surrounded by predominantly commercial uses to the north and west, and single family and multi family uses to the south and east. The zoning request is for Community Commercial (GR). In order to get a more accurate analysis of the impact of the site on South Lamar Boulevard and Bluebonnet Lane, the neighborhood traffic analysis incorporates the entire site that will consist of approximately 3,800 square feet of retail use.

Roadways

The tract proposes access to South Lamar Boulevard and Bluebonnet Lane.

South Lamar Boulevard is classified as a four lane divided major arterial and would provide the main access to the site. The roadway currently has 120 feet of right-of-way and 60 feet of pavement. Lamar Boulevard is in the bicycle plan as a Priority 2 route from Bluebonnet Lane to Manchaca Road.

Bluebonnet Lane, which abuts the western portion of the site, is classified as a residential collector street because at least 50 percent of its frontage is zoned for SF-5 or more restrictive uses. Bluebonnet Lane has a variable right-of-way width and 20 feet of pavement. The street is identified as a Priority 1 route in the Bicycle Plan.

Trip Generation and Traffic Analysis

Based on the Institute of Transportation Engineer's publication Trip Generation, the proposed 3,776 square feet of retail use would generate approximately 1,026 vehicle trips per day, a net

increase of 116 vpd over the existing use. However, for purposes of this analysis, an overall trip limit of 2,000 vpd is assumed to be generated by the site.

Table 1 represents the expected distribution of the 2,000 trips:

Table 1.	
Street	Traffic Distribution by Percent
S. Lamar Boulevard	70%
Bluebonnet Lane	30%
TOTAL	100%

Table 2 represents a breakdown of existing traffic on South Lamar Boulevard and Bluebonnet Lane, proposed site traffic, total traffic after development and percentage increase in traffic on South Lamar Boulevard and Bluebonnet Lane. In order to provide a more conservative analysis no traffic was assumed to be removed from South Lamar.

Table 2.				
Street	Existing Traffic (vpd)	Proposed New Site Traffic to each Roadway	Overall Traffic	Percentage Increase in Traffic
S. Lamar Boulevard	42,024	1,400	43,424	3%
Bluebonnet Lane (east)	3,342	600	3,942	18%

Of the site traffic to Bluebonnet Lane it is assumed that approximately 540 vpd will turn right to access Lamar and 60 vpd will turn left to access Del Curto. This will increase the traffic from the site driveway north to Lamar Boulevard approximately 28% and 4% from the site driveway south to Del Curto.

According to Section 25-6-116 of the Land Development Code, streets which are less than 30 feet in width are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadways exceeds 1,200 vehicles per day. In its current configuration, Bluebonnet Lane operates at an undesirable level. However, the roadway is undergoing construction to widen the pavement width. As a result of these improvements it is anticipated that the desirable operating level for Bluebonnet from the site driveway to Lamar Boulevard will increase to 4,000 vpd and would operate at acceptable levels for this portion of the roadway.

Recommendations/Conclusions

1. In order to minimize traffic on surrounding streets, the intensity and uses for this rezoning should be limited to less than 2,000 unadjusted vehicle trips per day. Table 3 lists the maximum trip limits per tract. Development of this property should also be limited to uses and intensities, which will not exceed or vary from the projected traffic conditions assumed in this neighborhood traffic analysis including traffic distribution, roadway conditions, and other traffic related characteristics.

Table 3.			
Tract	Tract Acres	Proposed Zoning	Maximum Trips Per Day
1	1.241	GR-MU	1,400
2	0.347	GR-MU	400
3	0.295	LO-MU	200

If you have any questions or require additional information, please contact me 974-2628.

Shandrian Jarvis
Senior Planner ~ Transportation Review
Watershed Protection and Development Review Department



Talisman Group, Inc.

P.O. Box 27828 Austin, Texas 78755 (512) 418-4477 (512) 418-4476 fax jim@talismangroupinc.com

June 30, 2008

Ms. Nancy MacLaine
South Lamar Neighborhood Association
2302 Del Curto
Austin, Texas 78704

Re: Zoning Case: C14-2008-0070 (S. Lamar at Bluebonnet)

Dear Ms. MacLaine:

As you remember, on June 6 of this year we met with you and other representatives of the South Lamar Neighborhood Association ("SLNA") concerning the referenced zoning case. At this meeting, we discussed various issues which are important to SLNA and ways in which we may address your concerns. The purpose of this letter is to set forth our understanding of the issues discussed at the meeting. This letter is not meant to create a legally binding document but is intended merely to further discussion regarding the issues most important to SLNA. We understand that if the following items are addressed to SLNA's satisfaction, we may proceed with our zoning case with the support of SLNA. Below, I am recounting certain items discussed at our meeting, as well as issues proposed by the City of Austin staff in their comments on our zoning submission. (For convenience, when we refer to the "site" we mean all three proposed zoning tracts in their totality.)

1. **Drainage.** The parties agree that storm water runoff is a challenge for SLNA and the immediate neighbors of the site. During the site plan application phase, the owner will commit to work with the City of Austin staff to provide on site storm water detention and site grading which will improve the existing conditions, as well as handle drainage issues created by all development on the site. The owner will keep SLNA and our adjoining neighbors informed as to our plans and make every reasonable effort to accommodate their storm water drainage concerns.

2. **Lighting.** All exterior lighting associated with the development will confine lighting to the site and minimize glare and light pollution of surrounding properties. The City's Neighborhood Compatibility standards, which the development will be subject to, require that all exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property. (Sec. 25-2-1067 [A] of the Code).

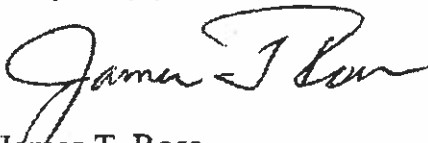
3. **Traffic:** The owner will commit to maintaining only one driveway providing access to Bluebonnet Street. Further, as per City staff recommendation, the owner will agree to limit total trip generation for the site to no more than 2,000 vehicle trips per day.

4. **Tract One Zoning** (Bluebonnet lot frontage currently "SF-3") Assuming an agreement with SLNA our application will be amended to request "LO" zoning for this zoning tract. In addition, as a result of input from City staff, the owner will agree to restrict the (entire) site (through Conditional Overlay) against Exterminating Services, Service Stations and "fast food" restaurants with drive through facilities. We would prefer to preserve the option of drive through facilities for financial institutions and/or other retail businesses.

For your convenience, we have attached a survey map of the three zoning tracts (Exhibit "A") as well as a chart (Exhibit "B") which sets forth a comparison of the development entitlements under the existing and the proposed zoning scenarios.

If I have correctly stated our understanding please let me know at your earliest convenience. If further discussion is warranted, we are at your service to assist you. Thank you in advance for your kind cooperation.

Very truly yours,



James T. Ross
President
Talisman Group, Inc.